

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS ABANDONING APPROXIMATELY 42,340 SQUARE FEET (0.972 ACRES) OF PUBLIC STREET RIGHT-OF-WAY, LOCATED BETWEEN THE TERMINUS OF EAST BRIDGE STREET AND THE COMAL RIVER, ACCORDING TO THE PROVISIONS OF CHAPTER 253, SECTION 253.001 OF THE TEXAS LOCAL GOVERNMENT CODE; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels has street rights to a 42,340 square foot (0.972-acre) tract of land, more or less, being public street right-of-way, located between the terminus of East Bridge Street and the Comal River, and said street right-of-way being in the City of New Braunfels, Texas; and

WHEREAS, the City of New Braunfels, having received a request from Dittlinger Mill, LLC petitioning the City to consider the abandonment of said right-of-way; and

WHEREAS, after determining that there is no need for the City of New Braunfels or any other surrounding property owners to retain the street right-of-way, it is the decision of the City Council of the City of New Braunfels that action be taken to release same to Dittlinger Mill, LLC in the proper and legal manner; and

WHEREAS, the fair market value of the land is determined to be four hundred thirty five thousand dollars (\$435,000.00) and thus by making the sale of the land to the abutting property owner, the City of New Braunfels will be complying with all sections of said Chapter 253, Section 253.001, and that the sale of said land in this particular instance has been determined by a fair appraisal and is conclusive of the fair market value thereof; **now, therefore;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT the City of New Braunfels, acting by and through its City Manager shall execute a Deed without Warranty to Dittlinger Mill, LLC, or their successor or assigns, conveying all of its right, title and interest in and to the public right-of-way and all rights in and to a 42,340 square foot (0.972-acre) tract of land, more or less, being public street right-of-way located between the terminus of East Bridge Street and the Comal River, and said street right-of-way being in the City of New Braunfels, Texas. A survey of the

property to be conveyed is attached as Exhibit “A” and is described in the attached Exhibit “B”. If said Deed Without Warranty is not executed within twenty four (24) months of the second and final reading of this ordinance, this ordinance shall become null and void and a new application for abandonment shall be required.

SECTION 2

THAT the following conditions apply to the said abandonment:

1. The applicant shall provide for the proper termination of the remainder of E. Bridge Street to be in compliance with Sec. 118-46(k) of the City code of ordinances.
2. The applicant shall provide a Utility Easement equal to the width of the right-of-way for a portion of the property to include the west side of the railroad spur.
3. A Utility Easement is required, minimum 20-feet in width, centered on the existing sewer line continuing northeasterly, covering all sewer equipment within the right-of-way (field-locating by applicant required).
4. The abandoned right-of-way property must be included within a plat of the adjacent property owned by the applicant in compliance with the City’s Subdivision Platting Ordinance. A final plat of the property must be submitted and approved by the City prior to ownership transfer. Recordation of the final plat will occur subsequent to the transfer.
5. All conditions of approval are to be reflected on the plat in the form of notes and easements as appropriate.

SECTION 3

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 4

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 5

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 6

THIS ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 25th day of August, 2025.

PASSED AND APPROVED: Second reading this 8th day of September, 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

0.972 ACRES OF LAND LOCATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, BEING A PART OF BRIDGE STREET (66.66' R.O.W.), RECORDED IN VOLUME G, PAGE 127, DEED RECORDS, COMAL COUNTY, TEXAS.

SURVEY NOTES:

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

THIS SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO DISCOVER OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

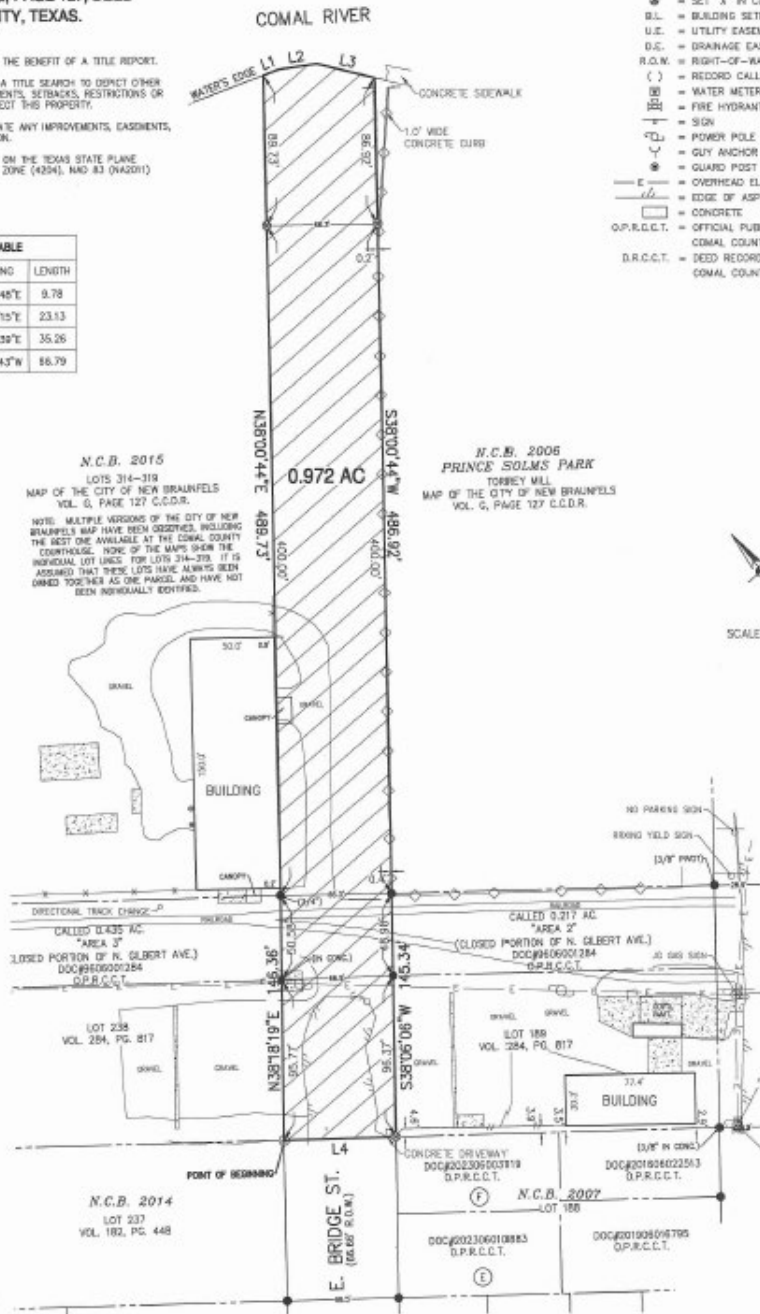
NO ATTEMPT HAS BEEN MADE TO LOCATE ANY IMPROVEMENTS, EASEMENTS, OR RIGHTS OF WAY NOT SHOWN HEREON.

BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (NAD2011) EPOCH 2010.00.

LINE #	BEARING	LENGTH
L1	S71°56'48"E	9.78
L2	S38°59'15"E	23.13
L3	S37°15'39"E	35.26
L4	N52°51'43"W	66.79

N.C.B. 2015
LOTS 314-319
MAP OF THE CITY OF NEW BRAUNFELS
VOL. G, PAGE 127 C.C.D.R.
NOTE: MULTIPLE VERSIONS OF THE CITY OF NEW BRAUNFELS MAP HAVE BEEN OBSERVED, INCLUDING THE BEST ONE AVAILABLE AT THE COMAL COUNTY COURTHOUSE. NONE OF THE MAPS SHOW THE INDIVIDUAL LOT LINES. FOR LOTS 314-319, IT IS ASSUMED THAT THESE LOTS HAVE ALWAYS BEEN OWNED TOGETHER AS ONE PARCEL AND HAVE NOT BEEN INDIVIDUALLY BOUND.

N.C.B. 2006
PRINCE SOLMS PARK
TOWNEY MALL
MAP OF THE CITY OF NEW BRAUNFELS
VOL. G, PAGE 127 C.C.D.R.



- LEGEND:**
- = FND. 1/2" IRON PIN
 - = FND. MAG. NAIL
 - = SET "X" IN CONCRETE
 - B.L. = BUILDING SETBACK LINE
 - U.E. = UTILITY EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - R.O.W. = RIGHT-OF-WAY
 - () = RECORD CALLS
 - = WATER METER
 - = FIRE HYDRANT
 - = SIGN
 - = POWER POLE
 - = GUY ANCHOR
 - = GUARD POST
 - = OVERHEAD ELECTRIC
 - = EDGE OF ASPHALT
 - = CONCRETE
 - O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS
 - D.R.C.C.T. = DEED RECORDS, COMAL COUNTY, TEXAS

DRAWN BY: J.A. FIELD CHECKED BY: J.A.

HMT
ENGINEERING & SURVEYING

290 S. CASTELL AVE., STE. 100
NEW BRAUNFELS, TX 78130
TBPE FIRM F-10961
TBPLS FIRM 10153800



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUNDS UNDER MY SUPERVISION
THIS 27th DAY OF APRIL, 2024
DOROTHY J. TAYLOR
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6295

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION
FOR A 0.972 ACRE TRACT OF LAND
PART OF BRIDGE STREET
EXHIBIT "A"

Being a 0.972 of an acre tract of land located in the City of New Braunfels, Comal County, Texas, being a portion of land called Bridge Street (66.66' R.O.W.), recorded in Volume G, Page 127, Deed Records, Comal County, Texas, said 0.972 acre tract of land being more particularly described as follows:

BEGINNING at a found 600 nail in the Northwest right of way line of East Bridge Street for the South corner of Lot 238, New City Block 2014, recorded in Volume 284, Page 817, Deed Records, Comal County, Texas, same point being the East corner of Lot 237, New City Block 2014, City of New Braunfels, recorded in Volume 182, Page 448, Deed Records, Comal County, Texas;

THENCE, along the Southwest line of said Lot 238 and the Northwest line of East Bridge Street N 38°18'19" E, a distance of 95.77 feet, passing through a found 1/2" iron pin marking the East corner of said Lot 238, and the South corner of a called 0.435 acre tract of land called "Area 3" (closed portion of N. Gilbert Ave.), recorded in Document No. 9606001284, Official Public Records, Comal County, Texas, and continuing a distance of 50.58 feet, for a total of 146.36 feet to a found 3/4" iron pin marking the South corner of Lots 314-319, New City Block 2015, Map of the City of New Braunfels, Volume G, Page 127, Deed Records, Comal County, Texas, the same point being the East corner of said 0.435 acre tract;

THENCE, along the Southeast line of said Lots 314-319 and the Northwest line of East Bridge Street, N 38°00'44" E, at a distance of 400.00 feet passing a 1/8" iron rod with cap "HMT" set for a point on line and continuing in all a total distance of 489.73 feet to the edge of water on the Comal River, marking the North corner of the herein described tract, the same point being the East corner of said Lot 314-319;

THENCE, along the common line of the herein described tract and the Comal River the following three (3) calls:

1. S 71°58'48" E, a distance of 9.78 feet to a point for a corner;
2. S 58°59'15" E, a distance of 23.13 feet to a point for a corner;
3. S 37°15'39" E, a distance of 35.26 feet to a point for the East corner of the herein described tract and the North corner of Prince Solms Park, Tomey Mill, New City Block 2006, Map of the City of New Braunfels, recorded in Volume G, Page 127, Deed Records, Comal County, Texas;

THENCE, along the Northwest line of Prince Solms Park and the Southeast line of East Bridge Street, S 38°00'44" W, at a distance of 86.92 feet passing a 1/8" iron rod with cap "HMT" set for a point on line and continuing in all a total distance of 486.92 feet to a found 1/2" iron pin, marking the West corner of Prince Solms Park, and the North corner of a called 0.217 acre tract called "Area 2" (closed portion of N. Gilbert Ave.), recorded in Document No. 9606001284, Official Public Records, Comal County, Texas;

THENCE, along the Southeast line of East Bridge Street and the Northwest line of said 0.217 acre tract, S 38°06'06" W, a distance of 48.98 feet passing through a found 1/2" iron pin marking the West corner of said 0.217 acre tract, the same point being the North corner of Lot 189, New City Block 2007, Volume 284,

EXHIBIT "B"



2905. Castell Avenue, Ste. 100
New Braunfels, TX 78130
(830) 625-8555
TBPE-FIRM F-10961
TBPLS-FIRM 10153600

Page 817, Deed Records, Comal County, Texas, continuing along the Northwest line of said Lot 189 a distance of 96.37 feet for a total distance of 145.34 feet to a set "X" in concrete marking the West corner of said Lot 189 the same point being the North corner of Lot F, New City Block 2007, Document No. 202306003119, Official Public Records, Comal County, Texas;

THENCE, along the Southwest line of the herein described tract, crossing East Bridge Street, N 52°51'43" W, a distance of 66.79 feet to the POINT OF BEGINNING, containing 0.972 acres of land in Comal County, Texas.

Bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (NA2011) Epoch 2010.00.

Written April 9, 2024.

Reference survey of said 0.972 acre tract of land prepared this same date.


Dorothy J. Taylor

Registered Professional Land Surveyor No. 6295

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4-10-24



EXHIBIT "B"